

**CITY COUNCIL OF THE CITY OF SAN DIEGO
SUPPLEMENTAL DOCKET NUMBER 1
FOR THE REGULAR MEETING OF
MONDAY, MARCH 7, 2005 AT 2:00 P.M.
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS
RESOLUTION:

ITEM-S400: Second Amended and Restated Agreement with Hawkins Delafield & Wood, LLP for General Disclosure Counsel Services.

(Continued from the meeting of February 28, 2005, Item 203, at the request of the City Attorney, in order to complete paperwork on the resolution.)

CITY ATTORNEY’S RECOMMENDATION:

Adopt the following resolution:

(R-2005-869)

Authorizing the Second Amended and Restated Agreement with Hawkins Delafield & Wood, LLP for general disclosure counsel services and authorizing an additional expenditure of \$500,000.

SUPPORTING INFORMATION:

The Report on Investigation dated September 16, 2004, prepared by Vinson & Elkins L.L.P. recommended that the City rely on a single, well-qualified firm to provide disclosure counsel services in order to provide for continuity in the City's disclosure materials and a greater accountability on the part of disclosure counsel. The City accepted that recommendation and engaged the Hawkins Delafield & Wood LLP [Firm] to serve as the City's general disclosure counsel. Such services include, but are not limited to, advising the City regarding its disclosure obligations under federal securities laws, advising the City regarding the provisions of the San Diego Municipal Code pertaining to disclosure; participating in the Disclosure Practices Working Group; conducting training and seminars for the City regarding federal securities laws; preparing standards and procedures for the City's disclosure practices; assist the City in finalizing and launching a City investor web page; and provide other legal services as requested by the City Attorney's office.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS (Continued)

RESOLUTION: (Continued)

ITEM-S400: (Continued)

SUPPORTING INFORMATION: (Continued)

The Firm proposed to provide such services on an hourly basis. The City has determined to accept the Firm's proposal and retain it for the above-referenced purposes. This Second Amended and Restated Agreement for General Disclosure Counsel Services increases the compensation to be paid to the Firm by an additional \$500,000; the total amount of the contract with this amendment is \$750,000.

FISCAL IMPACT:

The City shall compensate Hawkins Delafield and Wood LLP based on an hourly rate for the services provided. This second amended and restated agreement increases such compensation by \$500,000. Pursuant to the agreement, as amended and restated, the maximum amount to be paid to Hawkins Delafield and Wood LLP shall not exceed \$750,000, including expenses. These costs shall be shared among various bond-financed projects.

Kelly Salt